

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	}	
)	Criminal Case No. 03-10234-MLW
v.)	
)	
JOSHUA GOLDSMITH)	
Defendant)	
	}	

AFFIDAVIT OF DEFENDANT JOSHUA GOLDSMITH

1. On May 15, 2004, I mailed a package from the Old Dominion Freight Company in Point Loma, California to its warehouse in Dracut, Massachusetts.
2. I fully expected the contents of the package to remain private for the entire time the package was in transit, and for the time it was stored at either end of its transit by the freight company.
3. I did not list Underwater Equipment Sales in Point Loma as the sender or DVP Diving and Video in Dracut as the recipient of the package for the purpose of waiving my right that the contents of the package remain private.
4. Furthermore, I did not expect nor wish that the package would be rerouted to North Carolina.
5. On the contrary, I assumed that it would be delivered directly to Massachusetts.
6. In addition, I expected that delivery to take no more than five (5) days to reach its destination.

Signed under the pains and penalties of perjury on this the 19th day of September, 2005.

//S//Joshua Goldsmith
Joshua Goldsmith

CERTIFICATE OF SERVICE

I hereby certify that, on this the 19th day of September, 2005, I have caused to be served a copy of this document, where unable to do so electronically, by first-class mail on all counsel of record in this matter.

//S//Michael Tumposky
Michael Tumposky